

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chairman John Brueggeman, on March 24, 2009 at  
3:15 P.M., in Room 405 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. John Brueggeman, Chairman (R)  
Sen. Bruce Tutvedt, Vice Chairman (R)  
Sen. Greg Hinkle (R)  
Sen. Jim Keane (D)  
Sen. Rick Laible (R)  
Sen. Jesse Laslovich (D)  
Sen. David E. Wanzonried (D)  
Sen. Jonathan Windy Boy (D)  
Sen. Ryan Zinke (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Libby Goodwin, Committee Secretary  
Tammy McGill, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 238, 3/11/2009; HB 380,  
3/10/2009; HB 531, 3/12/2009; SB  
329, 3/18/2009

Executive Action: SB 508

**HEARING ON HB 238**

**Opening Statement by Sponsor:**

00:00:42 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 238, Establish a Montana teen driver safety day.

**Proponents' Testimony:**

00:01:25 Mariah Gondeiro, Belt High School  
00:04:34 Jessica Anderson, Belt High School  
00:08:51 Sam Keaster, Belt High School

**EXHIBIT**(his65a01)

00:12:15 Greg Van Horssen, State Farm Insurance: and on behalf of Jacqueline Lenmark, American Insurance Association; Bruce Spencer, Property Casualty Insurance Association; and Jon Metropoulos, Farmers Insurance Group  
00:12:44 Lt. Mike Reddick, Montana Highway Patrol

**Opponents' Testimony:**

00:13:43 None

**Informational Testimony:**

00:13:45 None

**Questions from Committee Members and Responses:**

00:13:49 None

**Closing by Sponsor:**

00:13:56 Rep. Milburn

**EXECUTIVE ACTION ON SB 508**

00:15:08 **Motion:** Sen. Brueggeman moved that **SB 508 DO PASS.**

00:16:16 **Motion:** Sen. Brueggeman moved that **SB 508 BE AMENDED.**  
**EXHIBIT**(his65a02)

**Discussion:**

00:16:20 Sen. Brueggeman  
00:18:13 Sen. Keane  
00:18:20 Sen. Brueggeman

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

March 24, 2009

PAGE 3 of 9

00:19:38 Sen. Hinkle  
00:20:06 Sen. Brueggeman  
00:20:36 Sen. Hinkle  
00:20:43 Sen. Brueggeman  
00:20:53 Sen. Keane  
00:21:03 Sen. Brueggeman  
00:21:55 Sen. Keane  
00:22:06 Sen. Brueggeman  
00:22:31 Sen. Windy Boy  
00:22:45 Sen. Brueggeman  
00:24:09 Sen. Windy Boy  
00:24:36 Sen. Brueggeman

00:24:39 Sen. Wanzenried left the meeting.

00:25:33 Sen. Hinkle  
00:26:27 Sen. Brueggeman  
00:27:21 Sen. Hinkle  
00:27:41 Sen. Brueggeman  
00:27:58 Sen. Keane  
00:28:34 Sen. Brueggeman  
00:29:29 Sen. Keane  
00:29:54 Sen. Tutvedt  
00:30:08 Sen. Brueggeman  
00:30:56 Sen. Laible  
00:31:21 Sen. Brueggeman  
00:31:47 Sen. Laible  
00:31:52 Sen. Brueggeman  
00:32:21 Sen. Laible  
00:32:33 Sen. Brueggeman  
00:32:49 Sen. Keane  
00:32:57 Sen. Brueggeman  
00:33:07 Sen. Laslovich  
00:33:21 Sen. Brueggeman  
00:33:36 Sen. Laslovich  
00:34:05 Sen. Tutvedt  
00:34:21 Sen. Brueggeman  
00:34:31 Sen. Zinke

00:35:31 **Vote:** Motion carried 7-2 by roll call vote with Sen. Hinkle and Sen. Keane voting no. Sen. Wanzenried voted by proxy.

00:36:52 **Motion:** Sen. Brueggeman moved that **SB 508 DO PASS AS AMENDED** (Exhibit 2).

- 00:37:09 **Substitute Motion/Vote:** Sen. Brueggeman moved to **REMOVE THE AMENDMENTS PREVIOUSLY ADDED** onto **SB 508** (Amendments SB 050801.atm that were adopted meeting of 3/19/2009). Motion carried unanimously by voice vote. Sen. Wanzenried voted by proxy.
- 00:38:10 **Motion:** Sen. Brueggeman moved that **SB 508 DO PASS AS AMENDED.**
- 00:38:17 **Vote:** Motion carried 6-3 by roll call vote with Sen. Hinkle, Sen. Keane, and Sen. Windy Boy voting no. Sen. Wanzenried voted by proxy.
- 00:39:17 Chairman Brueggeman left the meeting and relinquished the chair to Vice-Chairman Tutvedt.
- 00:39:20 Sen. Wanzenried rejoined the meeting.

**HEARING ON HB 531**

**Opening Statement by Sponsor:**

- 00:39:29 Rep. Bill Nooney (R), HD 100, opened the hearing on HB 531, Prohibit use technology for issuing citations not witnessed by officer.
- 00:41:02 Sen. Zinke left the meeting.

**Proponents' Testimony:**

- 00:45:51 None

**Opponents' Testimony:**

- 00:46:18 Lt. Rich McLane, Bozeman Police Department (Bozeman PD)  
[EXHIBIT\(his65a03\)](#)  
[EXHIBIT\(his65a04\)](#)  
[EXHIBIT\(his65a05\)](#)
- 00:54:00 Kaaren Jacobson, Mayor of Bozeman
- 00:55:10 Sen. Brueggeman entered the meeting.
- 00:57:36 Chris Kukulski, Bozeman City Manager
- 00:59:38 Rich St. John, Billings Chief of Police
- 01:00:41 Sen. Zinke entered the meeting.

01:00:47 Tom Jones, self  
01:02:23 Greg Van Horssen, State Farm Insurance; and on behalf  
of Jacqueline Lenmark, American Insurance Association  
01:03:06 Pam Bucy, Montana Association of Chiefs of Police  
01:03:47 Mark Tymrak, Billings Police Department (Billings PD)  
01:04:50 Jessie Luther, Burlington Northern Sante Fe Railway  
01:05:21 Bruce Spencer, Property Casualty Insurers Association  
(PCIA)

**EXHIBIT(his65a06)**

**Informational Testimony:**

01:05:53 None

**Questions from Committee Members and Responses:**

01:06:03 Sen. Tutvedt  
01:06:22 Lt. McLane, Bozeman PD  
01:07:08 Sen. Zinke  
01:07:24 Lt. McLane, Bozeman PD  
01:07:41 Sen. Zinke  
01:07:48 Lt. McLane, Bozeman PD  
01:08:12 Sen. Laible  
01:08:55 Lt. McLane, Bozeman PD  
01:09:53 Sen. Laible  
01:10:05 Lt. McLane, Bozeman PD  
01:10:34 Sen. Laible  
01:10:48 Sen. Laslovich  
01:11:09 Mr. Kulkuski, Bozeman City Manager  
01:11:43 Lt. McLane, Bozeman PD  
01:11:58 Sen. Laslovich  
01:12:30 Mr. Kulkuski, Bozeman City Manager  
01:13:10 Sen. Zinke  
01:14:19 Lt. McLane, Bozeman PD  
01:16:11 Sen. Zinke  
01:16:24 Mr. Tymrack, Billings PD

**Closing by Sponsor:**

01:17:05 Rep. Nooney

**EXHIBIT(his65a07)**

01:21:38 Sen. Brueggeman resumed the chair.

**HEARING ON HB 380**

**Opening Statement by Sponsor:**

01:21:54 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 380, Revise motor vehicle fees.

**Proponents' Testimony:**

01:22:58 Sarah Swanson, Farm Equipment Sales  
[EXHIBIT\(his65a08\)](#)

01:26:56 Brad Griffin, Montana Equipment Dealers Association

**Opponents' Testimony:**

01:27:40 None

**Informational Testimony:**

01:27:42 None

**Questions from Committee Members and Responses:**

01:27:45 Sen. Zinke  
01:28:04 Mr. Griffin, Montana Equipment Dealers Association  
01:28:33 Sen. Zinke  
01:28:53 Rep. Stahl  
01:29:12 Sen. Zinke  
01:29:23 Rep. Stahl  
01:29:28 Sen. Keane  
01:29:42 Brenda Nordlund, Department of Justice (DOJ)  
01:30:40 Sen. Keane  
01:30:49 Ms. Nordlund, DOJ  
01:31:02 Sen. Laible  
01:31:23 Ms. Swanson, Farm Equipment Sales  
01:32:23 Sen. Laible  
01:32:36 Ms. Swanson, Farm Equipment Sales  
01:33:06 Sen. Laible  
01:33:27 Ms. Swanson, Farm Equipment Sales  
01:34:29 Sen. Keane  
01:34:42 Mr. Spencer, PCIA  
01:34:52 Sen. Keane  
01:34:59 Mr. Spencer, PCIA

**Closing by Sponsor:**

01:35:21 Rep. Stahl

01:35:54 Recess

01:35:55 Sen. Windy Boy left the meeting.

01:37:14 Reconvene

**HEARING ON SB 329**

**Opening Statement by Sponsor:**

01:37:44 Sen. Gregory Barkus (R), SD 4, opened the hearing on SB 329, Revise automobile licensing and insurance laws.

[EXHIBIT\(his65a09\)](#)

[EXHIBIT\(his65a10\)](#)

[EXHIBIT\(his65a11\)](#)

[EXHIBIT\(his65a12\)](#)

**Proponents' Testimony:**

01:48:43 Mark Taylor, on behalf of Capt. Tom Butler, Montana Highway Patrol

[EXHIBIT\(his65a13\)](#)

01:49:17 Aimee Grmoljez, Montana Nonprofit Association

[EXHIBIT\(his65a14\)](#)

**Opponents' Testimony:**

01:50:34 Greg Van Horssen, State Farm Insurance Company; and on behalf of Jacqueline Lenmark, American Insurance Association

01:52:18 Bruce Spencer, PCIA

**Informational Testimony:**

01:52:51 Gayle Lambert, Department of Corrections

**Questions from Committee Members and Responses:**

01:53:17 None

**Closing by Sponsor:**

01:54:06 Rep. Barkus

**EXECUTIVE ACTION ON COMMITTEE BILL DRAFT REQUEST**

01:55:27 **Motion:** Sen. Brueggeman moved the committee request a resolution to commemorate the service of Montana Highway Patrolman Michael Haynes.

01:55:47 **Vote:** Motion carried unanimously by voice vote. Senator Wanzenried voted by proxy. Senator Windy Boy was excused.



**ADJOURNMENT**

Adjournment: 5:15 P.M.

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Libby Goodwin, Secretary

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**Additional Exhibits:**

**[EXHIBIT \(his65a15\)](#)**

**[EXHIBIT \(his65a16\)](#)**

**[EXHIBIT \(his65a17\)](#)**

**[EXHIBIT \(his65a18\)](#)**

**[EXHIBIT \(his65a19\)](#)**

**[EXHIBIT \(his65a20\)](#)**

Additional Documents:

**EXHIBIT ([his65aad.pdf](#))**